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CENTRAL FAX CENTERAppln. No. 10/528,940
Attny. Dckt. No. GB 020164

APR 16 2007

REMARKSIntroduction

Claims 1-12 remain in the application, of which claims 1, 10 and 12 are presently amended.

Rejections under 35 U.S.C. § 103(a)

Claims 1, 10 and 12 stand rejected under 35 U.S.C. § 103(a) as being obvious over a combination of U.S. Patent Publication No. US 2003/0128658 A1 (*Walton*), and U.S. Patent Publication No. US 2003/0162519 A1 (*Smith*).

Claim 1 is directed to a method of operating a packet data transmission system. The claim has been amended to recite the step of the primary station (PS1) in response to information from the secondary station "adapting itself and informing the secondary station (SS1) regarding the type of adaptation made." This step is described in the application as published (*see US 2006/0046662 A1*) at, for example, paragraph [0049].

Applicants submit that neither *Walton* nor *Smith*, either alone, or in combination, describe such a step.

Amended claims 10 and 12, while differing in scope and form from claim 1, recite features similar to those described above with respect to claim 1. Accordingly, applicants submit that claims 10 and 12 are patentable over a combination of *Walton* and *Smith*, at least for the reasons stated above with respect to the patentability of claim 1.

Accordingly, applicants submit that claims 1, 10 and 12 are patentable over *Walton* and *Smith*, either taken alone, or in combination.

Claims 2-9 and 11 stand rejected under 35 U.S.C. § 103(a) as being obvious over a combination of *Walton*, *Smith* and U.S. Patent No. 6,917,820 (*Gore*).

Appln. No. 10/528,940
Attny. Dckt. No. GB 020164

Each of claims 2-9 and 11 ultimately depend from claim 1. Accordingly, applicants submit that each of claims 2-9 and 11 are patentable over *Walton* and *Smith*, at least for depending from allowable claim 1.

Gore is directed to a method of selection and use of optimal numbers of antennas by the use of feedback, but does not cure the deficiencies of *Walton* and *Smith*. For example, *Gore*, either alone, or in combination with *Walton* and *Smith*, does not teach or suggest a primary station, in response to information from the secondary station "adapting itself and informing the secondary station (SS1) regarding the type of adaptation made."

Accordingly, applicants submit that claims 2-9 and 11 are patentable over *Walton*, *Smith* and *Gore*, either taken alone, or in combination.

Thus, applicants submit that each of the claims of the present application are patentable over each of the references of record, either taken alone, or in any proposed hypothetical combination. Accordingly, withdrawal of the rejections to the claims is respectfully requested.

Appln. No. 10/528,940
Attny. Dckt. No. GB 020164

Conclusion

In view of the above remarks, reconsideration and allowance of the present application is respectfully requested.

Respectfully submitted,

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